

# WAKE COUNTY SHERIFF'S OFFICE POLICY MANUAL

## Automatic License Plate Recognition (ALPR) Scanners Policy

Effective Date 11/01/2015

Regulation 207

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**A. Purpose:**

To establish Wake County Sheriff's Office (hereinafter Sheriff's Office) guidelines for deployment, data storage/retention, data sharing, training, supervisory oversight, internal data security/access, auditing requirements/annual CEO reporting for effectiveness of program, access to other data basis not operated by law enforcement and associated uses of Automatic License Plate Recognition (ALPR) Scanners.

**B. Policy:**

It is the policy of the Sheriff's Office to utilize technology in the furtherance of law enforcement efforts to locate and apprehend criminal violators. Furthermore, it is the policy of the Sheriff's Office to ensure that the use of technology devices such as the Automatic License Plate Recognition Scanner (ALPR) should not, intentionally or otherwise, compromise legitimate privacy concerns of law abiding citizens. This policy will not prohibit the use of ALPR data to enhance the gathering of criminal intelligence by the Sheriff's Office.

**C. Definitions:**

1. Automated License Plate Reader system (ALPR) - equipment consisting of camera(s) (fixed or mobile), computer, and computer software used to automatically "read" or recognize and interpret the characters on a vehicle license plate. Digital images captured by the camera are converted into data, which is processed through the ALPR system. This data is then compared against a list of license plates bearing some significance to the department concerning criminal investigations or the safety of the public. Stored data may also be analyzed at a later date for investigative purposes.
2. Scan File - ALPR generated data including GPS coordinate, date and time of a license plate reading, and any digital photographic images of the license plate and vehicle generated entirely through the use of and by the ALPR equipment.
3. Hot List – a listing of license plates derived from different law enforcement sources and/or manual entry such as stolen plates, plates on stolen/wanted vehicles, missing person alerts, AMBER or SILVER alerts or any other type of law enforcement matters of interest.

4. Download - the transfer of hot list data from NCIC or other Law Enforcement maintained data sources consisting of license plates and associated data.
5. Alert – a positive indication, by visual and/or audible signal, of a potential match between data on the hotlist and a license plate scanned by the ALPR system. An alert is not conclusive confirmation that a license plate is wanted. Additional investigation is always warranted when an alert is indicated. Law enforcement personnel MUST verify that the information obtained from the alert is accurate.

**D. Operator and Supervisor Guidelines for Use:**

**Operator Responsibilities:**

1. The ALPR system shall be activated at the beginning of the shift and the ALPR shall be operated at all times with regard to officer and public safety. The hot lists **may** be obtained or compiled from:
  - a) NCIC Stolen Vehicle files;
  - b) NCIC Stolen plates and Stolen Canadian plates;
  - c) NCIC Wanted persons;
  - d) NCIC Missing or Endangered person files;
  - e) NCIC Federal Immigration Violators;
  - f) NCIC Supervised Release (Federal Probationers);
  - g) NCIC Nationwide Domestic Violence Protection Orders;
  - h) NCIC Violent Gang and Terrorist Organization File;
  - i) NCIC Sexual Offender;
  - j) DMV records of Suspended Drivers / Habitual Offenders and / or Suspended Registrations;
  - k) DHS terrorism watch lists;
  - l) Official BOLOs or alerts, based on specific and articulable facts of a concern for public/officer safety, or a criminal investigation, or pursuant to a civil order or official law enforcement bulletin or teletype (e.g., vehicles associated with criminal activity, suicidal, homicidal, missing or wanted persons, AMBER ALERTS, SILVER ALERTS stolen vehicles, or similar vehicles of interest);
  - m) Agency watch list may be developed for local warrants associated with a vehicle; and vehicles known to be involved in ongoing criminal investigations;
  - n) RMS, NCIC, PISTOL; or any other available source.
  - o) HIDTA-DEA
2. If the operator receives information in reference to a license plate of interest and the license plate has not yet been listed on the DCI Hot List, the operator may manually enter the plate into their ALPR. The operator is responsible for

ensuring that all manually entered license plate data is removed once the need for the entry no longer exist.

3. The operator shall, upon receiving an alert/hit, use the displayed information to determine the accuracy and nature of the alert. The operator will visually verify that the plate read and the actual plate are the same (i.e. correct letters, numbers, state and any other information that can be matched).
4. Once verification has been accomplished, the operator shall confirm the status of the alert. The confirmation shall be used as the basis for any further appropriate action.
5. ALPR Operators shall exercise safety when operating a mobile ALPR system. Use of any device during the operation of a motor vehicle must comply with current State Law and Sheriff's Office policies.

**Supervisor Responsibilities/ALPR Manager:**

1. Supervisors/ALPR Manager will monitor the use of ALPR systems and ensure they are being used properly and in accordance with Sheriff's Office policy. Supervisors/ALPR Manager will ensure mobile ALPR systems are deployed during the shift by a trained ALPR Operator.

**E. Data Security and Access:**

Data is not stored by the Wake County Sheriff's Office internally or otherwise.

Access to ALPR data is restricted to Sheriff's Office personnel. ALPR data may be shared by an authorized member of the Sheriff's Office with another criminal justice agency for a legitimate law enforcement purpose. Any other use of this data is strictly forbidden.

1. Users will be able to access the ALPR data by providing the established user name and password. This access will allow for the user to query information as it pertains to vehicle tags read by the plate reader cameras. Security of the extracted NCIC files will be consistent with other rules, regulations, laws and procedures applying to the use of information from those databases, and will be the responsibility of each operator.
2. The ALPR manager/coordinator/Division Head or designee will determine the personnel to have access to the database for investigative queries and reports. Any requests for database access will be handled on a case by case basis and those granted access will be provided the user name and password for access.

3. Information stored includes a photo of the registration plate, a date and time stamp of when the registration plate was read by the ALPR and a GPS coordinate to identify the exact location the registration plate was read by the ALPR.

**F. Operator Training:**

ALPR Operators shall receive formal training prior to using the ALPR system. Only deputies who have been trained in the use of the ALPR will be authorized to have access to the ALPR equipment. Training can be completed by the ALPR Manager or existing ALPR users.

**G. Data Storage and Retention:**

The ALPR-generated data related to criminal investigations or intelligence information is not a public record. Data will not be retained by the Sheriff's Office. All access and queries of stored data shall be tracked. The Sheriff's Office does not maintain or store any ALPR data. Requests for data over 90 days old may be made through the Houston, Texas HIDTA Office.

**H. Program Oversight /Evaluation/Review:**

1. The ALPR Manager/Coordinator will determine how the ALPR system will be integrated into the Sheriff's Office investigative functions. The ALPR manager will also determine any additional restrictions for the use of the ALPR system.
2. ALPR Manager/Coordinator will validate training for ALPR Operators to ensure that; ALPR Operators are properly trained before accessing ALPR data or participating in ALPR field operations; training is timely and adequate; proper operation in accordance with this Standard Operating Procedure.
3. The ALPR Manager/Coordinator will be responsible for conducting, reviewing and retaining bi-annual audits of the ALPR system usage, which should include, but not necessarily be limited to, the following:
  - a) Records of ALPR operators and their ALPR usage, including vehicles of interest added to a hot list by individual deputies.
  - b) A listing of those accessing data, to include access, additions and / or searches of the scan file, in order to verify security of that data and compliance with this policy.
  - c) Auditing the local hot lists to ensure manual entries are being deleted when no longer of interest.

4. The ALPR Manager/Coordinator, in conjunction with the Sheriff's Office Legal Advisor, will recommend policy changes based on current best practices, court rulings (case law) and/or state laws.
5. All successful uses of the ALPR shall be documented and forwarded to the ALPR Manager/Coordinator.
6. An annual report of audit information (See H. 3 above), usage including data access and the number of successful cases shall be forwarded to the Sheriff's Office Chief of Operations and the Sheriff's Office Legal Advisor through the ALPR Manager/Coordinator.

**I. Non-Law Enforcement ALPR Data:**

At this time the Wake County Sheriff's Office does not obtain or review independently obtained ALPR data from Non-Law Enforcement s sources.